

## **REMARKS**

### **Status of the Claims**

Claims 1, 3-13 and 22-25 are pending for examination, claims 1 and 23 being independent.

Claims 23-25 are indicated as allowed.

Claims 3, 4 and 22 are indicated as containing allowable subject matter.

Claims 1 and 3 have been amended.

No claims have been added.

Claims 26-28 has been cancelled.

After this amendment, claims 1, 3-13 and 22-25 are pending for examination, with claims 1 and 23 being independent.

### **Preliminary Matters**

A review of the rejections in the body of the Office Action indicates that claims 3, 4 and 22, which all directly or indirectly depend from rejected claim 1, are allowable since no rejections are provided for said claims. (Said claims are in addition to claims 23-25 which are allowed.) The Applicant proceeds with this understanding.

The Applicant respectfully notes that the Office Action Summary page indicates that claim 4 is rejected. The Applicants believe this to be a typo since claim 4 depends from allowable claim 3. Additionally, on page 7 of the Office Action, only claims 3 and 23-25 are indicated as allowed/allowable.

If the Applicants understanding is incorrect, clarification is requested.

### **Claims in view of cited Prior Art**

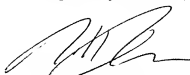
Claims 1, 6 and 8-11 were rejected as being not novel over U.S. Patent No. 6,139,539 to Baudino (hereinafter Baudino) in view of U.S. Patent Appl. No. 2009/0281620 by Sacharoff. Claims 7, 12 and 13 were rejected as obvious over Baudino.

Without acceding to the propriety of the rejection of said claims, claim 1 has been amended to recite “a movable compressor...” similar to claim 23. Accordingly, claim 1 is patentable for at least this reason.

Claims 6-13 depend from claim 1 and are patentable for at least the same reason as claim 1.

Withdrawal of the rejections of claims 1 and 6-13 is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. B. Powers', written over a horizontal line.

Jeffrey B. Powers  
Attorney for Applicant  
Registration No. 45,021

Bausch & Lomb Incorporated  
One Bausch & Lomb Place  
Rochester, New York 14604  
Telephone: 585 338 5526

Dated: April 20, 2010